

K.A.R. 5-21-6. ~~Water-measuring devices~~ Water flowmeters. (a) Except as specified in subsections subsection (b) and (e), each well authorized on or after the effective date of this regulation January 1, 2014 within the boundaries of the district shall be equipped with a totalizing water flowmeter that is installed and maintained in accordance with the specifications in K.A.R. 5-1-4 through 5-1-12. Each water right owner shall maintain the water flowmeter so that the flowmeter functions properly whenever the diversion of water can reasonably be expected to occur. If the water flowmeter fails to function properly, the owner shall promptly initiate action to repair or replace the meter, or to correct any problems with the installation.

(b) ~~If the owner of the water right demonstrates to the board that the installation of a water flowmeter meeting the requirements of subsection (a) is not feasible, the installation of an hour meter in lieu of a water flowmeter may be approved by the board. Installation of a water flowmeter shall be considered to be not feasible if all of the following conditions are met:~~

~~(1) The diversion works and the delivery system are both in existence before the order of the board to install a water-measuring device.~~

~~(2) The owner enters into a written agreement with the district providing that the owner will perform the following:~~

~~(A) Notify the district whenever the diversion works or the delivery system is modified;~~
and

~~(B) install a water flowmeter when the diversion works or delivery system is modified,~~
unless a waiver is granted by the board.

~~(3) Either of the following conditions is met:~~

~~(A) The normal operating rate of diversion is less than 200 gallons per minute.~~

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~~(B) The diameter of the existing pipe is too large for the normal operating flow rate so that full pipe flow cannot be maintained through a water flowmeter.~~

~~(c) Each well location authorized before the effective date of this regulation and located within the boundaries of the district shall be equipped with a water measuring device that was acceptable at the time the water measuring device was required. Waivers or exemptions to the installation of a water flowmeter granted by the district before the effective date of this regulation shall be considered to be effective until one of the following occurs:~~

- ~~(1) The well is redrilled.~~
- ~~(2) The delivery system is modified.~~
- ~~(3) The water measuring device is no longer functioning properly and is not promptly repaired.~~
- ~~(4) The district or the chief engineer orders that the well be equipped with a water flowmeter.~~

~~(d) An hour meter installation shall be deemed acceptable if all of the following requirements are met:~~

- ~~(1) The hour meter shall be enclosed in a weatherproof box and installed on a stand or post separate from, but adjacent to, the pumping plant base.~~
- ~~(2) The wiring from the pumping plant to the hour meter shall be at least 16 gauge and shall be enclosed in a conduit.~~
- ~~(3) All electrical connections shall be firmly attached.~~

~~(e) The following types of water use shall be exempt from the requirements of this regulation:~~

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(1) Domestic use; and

(2) ~~temporary use pursuant to a temporary permit to appropriate water.~~ (Authorized by K.S.A. 82a-706a and K.S.A. 2015 Supp. 82a-1028, ~~as amended by L. 2002, Ch. 137, § 5~~; implementing K.S.A. 82a-706c and K.S.A. 2015 Supp. 82a-1028, ~~as amended by L. 2002, Ch. 137, § 5 and K.S.A. 2001 Supp. 82a-1903, as amended by L. 2002, Ch. 137, § 7~~; effective Jan. 24, 2003; amended P-_____.)

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